REMARKS

Claims 11, 30, 31, 61 and 70 have been amended. Claims 71-72 have been added. Claims 1-10, 17, 22, 24, 26, 27, 29 and 32-57 are canceled. Claims 23, 25 and 28 are withdrawn. Claims 11-16, 18-21, 30, 31 and 58-71 are currently examined.

Claim 9 is objected to as being an improper dependent claim for failing to further limit the subject matter of a previous claim since claim 9 depends from claim 11, which is a subsequent claim. In order to rearrange the claim number as requested in the Office Action, claims 9 and 10 were canceled and added back as claims 71 and 72. That is, claims 9 and 10 have been renumbered as claims 71 and 72 and the subject matter of claims 9 and 10, now 71 and 72, has not been altered.

Claims 9-12, 14, 15, 18, 20, 21, 30, 31, 58-62, 64-65 and 67-70 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Merrill, U.S. Patent 7,132,724 (Merrill) in view of Descure, U.S. Patent No. 6,960,799 (Descure). This rejection is respectfully traversed.

As amended, independent claim 11 recites an image pixel array in an imaging device, comprising, among other elements, "a first filter having one or more layers of polysilicon or epitaxial silicon over the first photosensor and substrate, the first filter connected to a ground potential and having a first thickness and absorbing a majority of light at wavelengths shorter than a first wavelength and passing a majority of light at wavelengths longer than the first wavelength."

Amended claim 30 recites an imager integrated circuit, comprising, among other elements, "first and second sets of pixels, each including a photodiode comprising a doped region of a first conductivity type at a same depth below the substrate's surface; a first polysilicon filter connected to a ground potential and having a first thickness over each of the photodiodes in the first set of pixels, said first polysilicon filter absorbing a majority of light at wavelengths shorter than a first wavelength and passing a majority of light at wavelengths longer than the first wavelength."

Similarly, amended claim 31 recites an imager integrated circuit, comprising, among other elements, "first and second sets of pixels, each including a photodiode comprising a doped region of a first conductivity type at a same depth below the substrate's surface; a first crystal silicon filter

having a first thickness over each of the photodiodes in the first set of pixels, the first crystal silicon filter connected to a ground potential and absorbing a majority of light at wavelengths shorter than a first wavelength and passing a majority of light at wavelengths longer than the first wavelength."

As amended, independent claim 61 recites an image pixel array in an imaging device, comprising, among other elements "a first filter comprising one or both of polysilicon or epitaxial silicon over the first photosensor and substrate, the polysilicon or epitaxial silicon of the first filter connected to a ground potential and having a first thickness and absorbing a majority of light at wavelengths shorter than a first wavelength and passing a majority of light at wavelengths longer than the first wavelength."

Neither Merrill nor Descure, even when considered in combination, teach or suggest all limitations of independent claims 11, 30, 31 and 61. Merrill relates to a vertical-color-filter detector group. Merrill's detector group includes a red, a green and a blue detector, vertically stacked over one another. Each detector is a doped region over a doped substrate. Merrill is silent about photosensors or photodiodes laterally adjacent to one another. Descure relates to an array of photodiodes that are divided into three interleaved sub-arrays and is cited for teaching that photosensors are laterally adjacent to one another.

Neither Merrill nor Descure, even when considered in combination, teach or suggest a filter connected to a ground potential, as recited by claims 11, 30, 31 and 61. Thus, even when considered in combination, neither Merrill nor Descure teach or suggest all limitations of independent claims 11, 30, 31 or 61. For at least these reasons, withdrawal of this rejection is respectfully requested.

Claims 13 and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Merrill in view of Descure and in further view of Rhodes, U.S. Patent No. 6,815,743 (Rhodes). This rejection is respectfully traversed.

As discussed above, the Merrill and Descure combination fails to teach or suggest all limitations of independent claim 11. Rhodes is cited for teaching a photosensor as a photogate,

photodiode, photoconductor or other photosensitive elements (Office Action at 12) and does not supplement the deficiencies of Merrill and Descure. For at least these reasons, withdrawal of this rejection is respectfully requested.

Claims 16 and 66 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Merrill in view of Descure and in further view of Randazzo, U.S. Patent No. 6,093,585 (Randazzo). This rejection is respectfully traversed.

As discussed above, the Merrill and Descure combination, fails to teach or suggest all limitations of independent claims 11 and 66. Randazzo is cited for teaching that a layer of TEOS can be formed over a polysilicon layer (Office Action at 13) and does not supplement the deficiencies of Merrill and Descure. For at least these reasons, withdrawal of this rejection is respectfully requested.

In view of the above, Applicants believe the pending application is in condition for allowance.

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Respectfully submitted,

By _____

Gianni Minutoli
Registration No.: 28,371
Elizabeth Parsons
Registration No.: 52,499
DICKSTEIN SHAPIRO LLP
1825 Eye Street, NW
Washington, DC 20006-5403
(202) 420-2200
Attorneys for Applicants